Attn: DO/US

, 1

JAP20 Rec'd PCT/PTO 02 JUN 2006

Attorney's Docket No. 049202/310397

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

Applicant:

Mühlbauer

International Appl. No.:

PCT/EP2004/013780

International Filing Date:

December 3, 2004

Title:

CONTROLLING GENE EXPRESSION IN PLASTIDS

Docket No.:

049202/310397

Customer No.: 00826

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The patents listed on the attached PTO-1449 were cited in the International Search Report of corresponding International Application No. PCT/EP2004/013780. A copy of the Search Report is enclosed for the Examiner's convenience. In accordance with the Office waiver published July 11, 2003, copies of the cited U.S. patents and patent application publications are not enclosed. Applicant does enclose copies of any cited foreign patent documents and nonpatent literature in accordance with 37 CFR 1.98(a)(2).

The Examiner may wish to consider the notations on the Search Report itself regarding the relevance of each item. It is requested that the Examiner consider these references and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Respectfully submitted,

David M. Saravitz

Registration No. 55,593

10/581703 M20RecdPCT/PTO 02 JUN 2006

ALSTON & BIRD LLP

Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260 **Customer No. 00826** "Express Mail" Mailing Label Number EV 387075847 US Date of Deposit: June 2, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR

1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, Alexandria, VA 22313-1450.

Karyn Grimm

2

Complete if Known Substitute for form 1449/PTO Application Number Not yet assishe 158 (Revised 07/2005) Herewith Filing Date First Named Inventor Milibate INFORMATION DISCLOSURE Group Art Unit Not yet assigned STATEMENT BY APPLICANT **Examiner Name** (Use as many sheets as necessary) Not yet assigned 0409202/310397 Attorney Docket Number Sheet of **U. S. PATENT DOCUMENTS** Document Number Pages, Columns, Lines, Where Cite **Publication Date** Name of Patentee or Examiner Relevant Passages of Relevant Figures Number - Kind Code (if known) MM-DD-YYYY Applicant of Cited Document Initials* No. Appear US-5,877,402 03/02/1999 Maliga et al. 1 2 US-5,925,806 07/20/1999 McBride et al. 3 US-2003/0009783 A1 01/09/2003 Daniell et al. FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, English Foreign Patent Document Where Relevant **Publication Date** Name of Patentee or Language Examiner Cite Passages or Relevant MM-DD-YYYY Applicant of Cited Translation Initials Country Code - Number Kind Code No. Figures Appear (if known) Document Attached WO 98/11235 A2, A3 03/19/1998 Novartis AG 01/11/2001 WO 01/02593 A2, A3 Calgene LLC Date Examiner Considered Signature

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449/PTO Complete if Known (Revised 07/2005) Not yet assigned **Application Number** Filing Date Herewith INFORMATION DISCLOSURE First Named Inventor Mühlbauer STATEMENT BY APPLICANT Not yet assigned Group Art Unit **Examiner Name** Not yet assigned (Use as many sheets as necessary) 0409202/310397 Sheet of Attorney Docket Number **OTHER DOCUMENTS** English Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of Language the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue Translation Examiner Cite number(s), publisher, city and/or country where published. Attached Initials* No. HEIFETZ, P.B., et al., "Transgenics and Biotechnology: Chemical Regulation of Nuclear and Plastid Transgenes in Plants," 1997, Plant Physiology, p. 308, Vol. 114(3), American Society of Plant Physiologists, US. HEIFETZ, P.B., "Genetic Engineering of the Chloroplast," 2000, Biochimie, pp. 655-666, Vol. 82, Société Française de Biochimie et Biologie Moléculaire/Editions Scientifiques et Médicales, Elsevier SAS. THOMPSON, R.J. and G. MOSIG, "Stimulation of a Chlamydomonas Chloroplast Promoter by Novobiocin in Situ and in E. coli Implies Regulation by Torsional Stress in the Chloroplast DNA," 1987, Cell, pp. 281-287, Vol. 48. Examiner Date

Considered

Signature

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.